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Security Council

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Security Council Committee established pursuant to resolution 1267 (1999)

Note verbale dated 17 June 2002 from the Permanent Mission of Lebanon to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Lebanon to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan and, with reference to the Chairman's note dated 7 March 2002 (SCA/2/02(3)), has the honour to transmit herewith the report requested in paragraph 6 of resolution 1390 (2002), adopted on 16 January 2002, in response to the Committee's requests for information.

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Annex to the note verbale dated 17 June 2002 from the Permanent Mission of Lebanon to the United Nations addressed to the Chairman of the Committee

I. Paragraph 2 (a) of resolution 1390 (2002)

First request

Information on legislative and administrative measures taken in order to freeze the funds and other financial assets or economic resources of the individuals, groups and entities to which reference is made in the list mentioned in paragraph 2 of resolution 1390 (2002), including funds derived from property they own or control, and on measures to ensure that none of these funds are made available for the benefit of such persons or groups by nationals of the State or by any persons within its territory.

Response

Law No. 318 of 20 April 2001 establishes at the Bank of Lebanon an independent unit of a judicial character that is empowered to take the decision to freeze suspicious accounts and to waive banking secrecy in their regard. It sends copies of its decisions to the office of the public prosecutor and to the external authorities concerned. As soon as it received the United Nations list of names of individuals, groups and entities suspected of terrorism that was compiled pursuant to resolutions 1267 (1999) and 1333 (2000), the special investigations unit established by article 6 of the law decided to instruct its secretary to request all banks and financial institutions operating in Lebanon to state whether or not they were holding accounts or assets that belonged directly or indirectly to those individuals, groups and entities. All of the banks and financial institutions reported that they held no such accounts, and the Security Council Committee was informed accordingly through the Ministry of Foreign Affairs.

Article 338 of the Lebanese Penal Code also requires that all secret societies should be dissolved and that their assets should be confiscated. Article 14 of Law No. 318 of 20 April 2001 requires confiscation of all moveable and immoveable property connected with specified crimes and of the proceeds of such crimes, which include terrorism. The provisions of the Lebanese Penal Code relating to confiscation are also applied to the assets of such persons or groups that are not held by banks and to their immoveable property.

Second request

If the authorities of a State have identified and frozen funds and other financial assets of these individuals, groups and entities, they should indicate to the Committee relevant information such as the types, value and bank account numbers of the funds and financial assets frozen.

Response

It has not been determined that there are any accounts or assets that belong to the individuals, groups or entities in question.

II. Paragraph 2 (b) of resolution 1390 (2002)

Request

Information on all measures the State has taken to prevent the entry into or transit through its territory of the individuals to whom reference is made in the United Nations list mentioned in paragraph 2 of resolution 1390 (2002).

Response

The law promulgated on 10 July 1962 regulates entry to, residence in and departure from Lebanon. It stipulates that entry to Lebanon other than by way of General Security facilities is prohibited and that a person seeking entry must be provided with the relevant legal documents and be in possession of a travel document stamped by an overseas representative of Lebanon or by General Security with a transit or residence visa. On instructions from the judicial authorities, the security agencies issue arrest warrants and search warrants and investigate wanted persons and persons suspected of terrorist and other offences. Such warrants are circulated to border crossing, seaports and airports, where the necessary action is taken with regard to the persons indicated immediately on their arrival (refusal of entry, arrest, etc.), and all border crossings are equipped with computers in which the names of wanted persons have been entered.

In exercise of its powers and in implementation of Security Council resolution 1390 (2002), the Directorate-General for General Security has adopted measures to prevent the entry of persons whose names are received from the International Criminal Police Organization (ICPO-Interpol) with the request that they not to allowed entry, and circulars have been sent to all points of entry and to Lebanese embassies overseas through the Lebanese Ministry of Foreign Affairs. A person who has been refused entry thus cannot be granted an entry visa by any Lebanese consulate or by General Security. The law promulgated on 10 July 1962 regulates entry to, residence in and departure from Lebanon. It stipulates that entry to Lebanon other than by way of General Security facilities is prohibited and that a person seeking entry must be provided with the relevant legal documents and be in possession of a travel document stamped by an overseas representative of Lebanon or by General Security with a transit or residence visa.

The Directorate-General for General Security has circulated to all points of entry by land, sea and air notices prohibiting entry by the individuals indicated in the United Nations list and requiring the application to them of the aforesaid measures. The Directorate also refuses entry to persons whose names appear on lists concerning terrorist activities that are submitted by their countries.

The Directorate-General for General Security has also:

Adopted measures to prevent the entry of persons whose names are received through ICPO-Interpol with the request that they not be allowed entry;

Adopted measures to flag the entry of persons to whose activities attention has been drawn by security attachés at the embassies of the countries of which they are nationals for subsequent coordination with these embassies in the event of their arrival in Lebanon;

Initiated investigative action to monitor any secret activities by Al-Qaida for the establishment of cells, the purchase of weapons or the perpetration of hostile acts;

Scrutinized and collated all information coming from embassy security attachés concerning possible Al-Qaida activities in Lebanon and notified the attachés of the outcome of such scrutiny;

Ensured that all border posts scrutinize travel documents in order to detect the possible use of forged passports by Al-Qaida elements.

III. Paragraph 2 (c) of resolution 1390 (2002)

Request

Information on measures taken in implementation of paragraph 2 (c) of resolution 1390 (2002) to prevent the direct or indirect supply, sale and transfer to these individuals, groups and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types ... and technical advice, assistance or training related to military activities.

Response

The security agencies monitor persons and investigate activities involving arms and related materiel that are contrary to the provisions of Lebanese laws, especially the Penal Code and the arms and ammunition law, as well as the Arab Convention for the Suppression of Terrorism and the relevant international conventions to which Lebanon has acceded. In the investigation of any such actions the persons involved are arrested and offenders are referred to the competent jurisdiction. Lebanon does not provide any technical advice, assistance or training related to military activities to any of the groups or individuals indicated in paragraph 2 (c) of the resolution and also prohibits any person whatever from providing such assistance.

The security agencies of the Ministry of the Interior and Municipalities initiate investigative action in order to monitor any secret activities by Al-Qaida for the establishment of cells, the purchase of weapons or the perpetration of hostile acts.

IV. Paragraph 8 of resolution 1390 (2002)

Request

Member States are requested to provide the Committee with information on the measures they have taken for the implementation of paragraph 8 of the resolution under domestic laws and regulations to prevent and punish violations of the measures to which reference is made in its paragraph 2 and to report on legislation enacted to promote the implementation of paragraph 8.

Response

Some elements of this response have been given in our previous responses under paragraph 2 of resolution 1390 (2002). The actions to which reference is made

in paragraph 2 are prohibited by Lebanese laws and especially by the Penal Code, the arms and ammunition law, the law regulating entry to, residence in and departure from Lebanon, the Arab Convention for the Suppression of Terrorism and the anti-money-laundering law. The Lebanese security agencies, under the supervision of the competent judicial authorities, give priority to investigating and combating crimes of this kind.